

1 HAMMONDLAW, P.C.
2 JULIAN HAMMOND (SBN 268489)
3 jhammond@hammondlawpc.com
4 POLINA PECHERSKAYA (SBN 269086)
5 ppecherskaya@hammondlawpc.com
6 ARI CHERNIAK (SBN 290071)
7 acherniak@hammondlawpc.com
8 1829 Reisterstown Rd. Suite 410
9 Baltimore, MD 21208
10 (310) 601-6766
11 (310) 295-2385 (Fax)
12
13 Attorneys for Plaintiffs and the Putative Classes
14
15

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA
15

16 LA TOIYA MORRISON, individually and on
17 behalf of all others similarly situated,

18 Plaintiff,
19 vs.

20 AMERICAN NATIONAL RED CROSS, a
21 Congressional Charter Corporation,

22 Defendant
23
24
25
26
27
28

Case No.: 3:19-cv-2855-HSG

**JOINT STIPULATION TO FILE FIRST
AMENDED COMPLAINT AND EXTEND
TIME FOR DEFENDANT TO RESPOND;
~~PROPOSED~~ ORDER**

1 IT IS HEREBY STIPULATED by and between LA TOIYA MORRISON (“Plaintiff”) and
2 AMERICAN NATIONAL RED CROSS (“Defendant”) (collectively, the “Parties”) as follows:

3 1. Plaintiff filed a Class Action Complaint (“Complaint”) for failure to reimburse business
4 expenses pursuant to California Labor Code section 2802, and unfair and unlawful business practices
5 pursuant to California Business and Professions Code section 17200 *et seq.*, in the Superior Court of
6 California for the County of Alameda on April 24, 2019.

7 2. Defendant filed its Answer to Plaintiff’s Complaint on May 22, 2019.

8 3. On May 23, 2019, Defendant removed the action from the Superior Court of California
9 for the County of Alameda to the United States District Court for the Northern District of California
10 (Doc. No. 1).

11 4. Plaintiff now seeks to amend her Complaint to add a Private Attorneys General Act
12 (“PAGA”) cause of action based on the alleged failure to reimburse business expenses; and update her
13 Complaint to comply with federal pleadings standard. Plaintiff’s First Amended Complaint is attached
14 hereto as **Exhibit 1**. A red-lined copy of Plaintiff’s First Amended Complaint is attached hereto as
15 **Exhibit 2**.

16 5. The Parties have met and conferred, and Defendant does not object to the filing of the
17 First Amended Complaint, attached hereto as Exhibit 1.

18 6. The Parties have agreed to extend Defendant’s deadline to respond to Plaintiff’s First
19 Amended Complaint from fourteen (14) days to twenty-one (21) days after service of Plaintiff’s First
20 Amended Complaint.

21 7. Defendant reserves all defenses to Plaintiff’s claims and this stipulation shall not be
22 construed as a waiver of Defendant’s defenses.

23 IT IS HEREBY STIPULATED AND AGREED, by and between the Parties and subject to the
24 Court’s approval that:

25 1. Plaintiff may file the First Amended Complaint, attached hereto as Exhibit 1;

26 2. Defendant’s deadline to respond to Plaintiff’s First Amended Complaint is extended from
27 fourteen (14) days to twenty-one (21) days after service of Plaintiff’s First Amended Complaint; and
28

3. Defendant does not impliedly or expressly concede any of the legal or factual statements in the First Amended Complaint, nor does it waive any arguments or defenses to the First Amended Complaint. Defendant disagrees with the legal and factual assertions contained in the First Amended Complaint. Defendant has only provided its agreement to permit Plaintiff to file the First Amended Complaint for the reasons set forth above.

IT IS SO STIPULATED.

Dated: July 3, 2019

Respectfully submitted,

HammondLaw, P.C.

s/ Julian Hammond
Julian Hammond
Attorneys for Plaintiff

Dated: July 3, 2019

Littler Mendelson

s/ Lisa Lin Garcia
Lisa Lin Garcia
Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 7/5/19


HON. HAYWOOD S. GILLIAM, JR.